

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4044 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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ASSOCIATED RUBBER INDUSTRIES LTD.

Versus

RANJITBHAI H. DAVE

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Appearance:

MR MANISH R BHATT for Petitioner  
MR MD RANA for Respondent No. 1  
NOTICE SERVED for Respondent No. 2, 3

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CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 29/10/1999

ORAL JUDGEMENT

Learned advocate Ms. Bhatt is appearing for Mr.  
M.R.Bhatt, the learned advocate for the petitioner.

In the present petition, the award passed by the labour Court Bhavnagar in Reference No. 409 of 1987 dated 22.12.1988 is under challenge. Under the impugned award, the labour court has directed the petitioner Co. to reinstate the respondent workman with continuity of service and with 40 percent of the back wages for the intervening period. This Court, while admitting the

petition, has granted the ad interim stay of execution of the impugned award on a condition that the petitioner Co. should comply with the provisions of section 17B of the Industrial Disputes Act, 1947 ("the ID Act" for short).

Today, when the petition was taken up for final hearing, Ms. Bhatt, the learned advocate appearing for the petitioner Co. has made a statement before this court that the petitioner Co. has been closed in the year 1991 and all the workmen who were working in the petitioner Co. have settled their claims and have received their legitimate dues from the petitioner Co. She has further stated that the respondent workman has also settled his claim including the claim as per the award passed by the labour court. Therefore, according to Ms. Bhatt, the petition has, now, become infructuous.

In view of the said statement made by learned advocate Ms. Bhatt for the petitioner CO., this petition shall stand disposed of as having become infructuous. Rule is discharged. Ad interim relief granted earlier shall stand vacated with no order as to costs.

Since the petition is being disposed of on the basis of the statement made by the advocate for the petitioner, in absence of the respondent workman and his advocate, in the larger interest of justice, liberty is granted to the petitioner Co. to move this Court in case of any difficulty for revival of this petition by filing a mere note to that effect.

Dt.29.10.1999. (H.K.Rathod,J.)

Vyas